

Exhibit B

From: [Adam Moskowitz](#)
To: [CHRISTOPHER E. KNIGHT](#)
Cc: [Alexandra L. Tifford](#); [Joseph Kaye](#); [Glorissa Olivares](#); [SBest@brownrudnick.com](#); [Wolkinson, Rachel O.](#); [SWissner-Gross@brownrudnick.com](#); [Barbara C. Lewis](#); [Stephen N. Zack](#); [Ursula Ungaro](#); [Rejane Passos](#); [Angela Herazo](#); [Jason Rosell](#); [David Boies](#); [Linda Carlsen](#)
Subject: RE: Robertson, Gold, et. al. v. Mark Cuban, Dallas Basketball Limited, d/b/a Dallas Mavericks, et. al. | S Dist. Court. S.D. FL. Civil Case No. 1:22-cv-22538
Date: Wednesday, November 2, 2022 11:58:44 AM
Attachments: [D.E. 41 Stipulated Protective Order in Cassidy.PDF](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[Robertson et al. v. Cuban et al. - JOINT CONFERENCE REPORT \(DRAFT\).docx](#)

Chris: Here is an Agenda that we can use for our call this Friday. Just please let us know what time works best for your team on Friday, and we will send out the Zoom invite. Please also let us know any and all items to add to our Agenda. Our plan is to serve our discovery this weekend, after we conduct our call.

AGENDA FOR FRIDAY (November 4th): VOYAGER/MAVERICKS INITIAL CONFERENCE

1. Joint Scheduling Report

We reviewed the JSR that was entered in our pending other Voyager class action (“Cassidy”) and other similar JSR, and attach hereto our proposed draft JSR for your review. Please feel free to fill in “Defendants Statement” section and send us back any and all proposed edits by Thursday night, so we can discuss them on Friday. We certainly reserve the right to amend and/or revise our Plaintiffs’ Statement, after our consultation and discussion.

2. Confidentiality Order

We spent time in *Cassidy* drafting and entering the attached Confidentiality Order that was entered by Chief Judge Altonaga. If the Order meets with your teams’ approval, we are glad to simply agree that the Order applies also to this action.

3. Initial Disclosures

We already had much discussion in *Cassidy* about what our Initial Disclosure local rules require. We all know that the Agreement between the Dallas Mavericks and Voyager (that was produced to us in the Bankruptcy Litigation in NY under that Confidentiality Order, may certainly be used in this litigation to “support a claim or defense”, so if the *Cassidy* Confidentiality Agreement meets with your approval, please just email us a copy of that Agreement in *this* litigation next week, as well as any other specific documents and/or Agreements, that specifically mention that Mavericks/Voyager Agreement, so that they will be produced with your Initial Disclosures. We certainly do not want to delay this case by waiting to produce those specific materials much later, only in response to our requested discovery.

See Fed. R. Civ. P. 26(a)(1)(A)(ii) (party “must, without awaiting a discovery request, provide to the other part[y]” “a copy—or a description by category and location—of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses)

4. Discovery

We will of course, work with you next week, to arrange and schedule all of the requested individual, and corporate representative depositions, so that we certainly do not unilaterally select any times and/or dates.

Please tell us any and all other items that you would like us to add to our Agenda for our call this Friday. Thanks, Adam

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From: Adam Moskowitz

Sent: Wednesday, November 2, 2022 8:28 AM

To: CHRISTOPHER E. KNIGHT <CKnight@fowler-white.com>

Cc: Alexandra L. Tifford <ATifford@fowler-white.com>; Joseph Kaye <joseph@moskowitz-law.com>; Glorissa Olivares <GOlivares@fowler-white.com>; SBest@brownrudnick.com; Wolkinson, Rachel O. <RWolkinson@brownrudnick.com>; SWissner-Gross@brownrudnick.com; Barbara C. Lewis <barbara@moskowitz-law.com>; Stephen N. Zack <szack@bsfllp.com>; Ursula Ungaro <UUngaro@bsfllp.com>; Rejane Passos <rejane@moskowitz-law.com>; Angela Herazo <aherazo@fowler-white.com>; Jason Rosell <jrosell@pszjlaw.com>; David Boies <dboies@bsfllp.com>; Linda Carlsen <lcarlsen@bsfllp.com>

Subject: Re: Robertson, Gold, et. al. v. Mark Cuban, Dallas Basketball Limited, d/b/a Dallas Mavericks, et. al. | S Dist. Court. S.D. FL. Civil Case No. 1:22-cv-22538

Chris: Hope you are well since our hearing with Judge Altman, we thought we would give you a few days to get organized. Please talk to your team and let us know today if: (1) 10am, (2) noon, or (3) 4pm, work best, for whomever is going to talk with us from your team about the JSR (and we will send them a Zoom invite).

We will send you a draft JSR this afternoon, so please let us know any comments before our call and we can certainly discuss any and all issues on Friday. Thanks, Adam

Sent from my iPhone

On Oct 21, 2022, at 8:10 AM, CHRISTOPHER E. KNIGHT <CKnight@fowler-white.com> wrote:

Adam,

Good morning. I had a very pleasant call with Steve Zack yesterday morning during a break in my trial where I discussed the total lack of meet and confers by you and your office in this matter with Brown Rudnick or Fowler White before filings that required the same. Steve kindly let me know that he would speak to you about the need to confer with Sig Wissner at Brown Rudnick per our local rules before your various filing which I assume he did. I am still in trial, and as such, please give Sig or others on his team a call for any discussions you may need to have in this matter.

The one, and only communication, I have received from you, prior to your below email of yesterday afternoon, is from Friday night, September 9, 2022 informing me of your

involvement in the case. I shared with Sig Wissner at BR that you reached out to me then. I am aware that you previously have been in contact with Sid on the limited communications related to this case and/or the related actions. I also sent your greetings on to my partner, Brian Elias, that you referenced. Since reviewing last evening your below email, I have confirmed with my office that you have never left a phone message for me in the last two months to contact you about this case or anything else.

As discussed with Steve Zack yesterday, please note that Sig Wissner is who should be the the initial contact with any inquiries regarding the Mavericks or Mark Cuban in the Robertson matter.

I also was informed this morning that you have sent out another email with a salutation to "Chris", that for some unknown reason did not include me as an email addressee. Please add me to your list for future emails (which I realize on your latest email must have been an inadvertent miss) and for any immediate inquiries please contact Sid or Rachel Wolkinson.

I am unavailable to speak today, but should be back in my office post trial on Tuesday. I look forward to speaking with you then.

Have a good weekend.

Regards,

Chris

CHRISTOPHER E. KNIGHT
Managing Shareholder



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On Oct 20, 2022, at 3:32 PM, Adam Moskowitz <Adam@moskowitz-law.com> wrote:

Chris: I never heard back from you after my email below, however I just read your silly Response to Judge Altman to our Request for a Hearing, heard you called Steve (whom I will see tonight) and we will certainly file our formal Response, but I just wanted to write you (and tried calling you), because you really should just pick up the phone and call people. Judge Altman will decide if when he wants to start this case and not either of us. To personally attack your opposing counsel is a pretty sill and an unhelpful manner (and I have not seen that in many, many years, especially in federal court) to start a major litigation (or any case), but you certainly decide your own style. I am sorry Mark Cuban's lawyers in the bankruptcy court may not have keep you, and your office, more involved in all of our recent discussions and with Rich Pachulski, almost 150-20 times yesterday, but all of our talk, negotiations and the final result, was that we are dismissing Mr. Erlich and proceeding expeditiously with our class action in Miami federal court against Mark Cuban and the Dallas Mavericks (and possibly other defendants). That may not be what your client's wanted, but you really have no say in asking the bankruptcy court from staying our district court case against your clients and you will now face our litigation. Ironically, the first time you "gave us notice" in this case, you shot me a quick email the minute you filed your papers, not the normal meet and confer, and when we sent you the same email the second time, you said "we should have called". Going forward, let's please stop this silly posturing just for others and talk one on one, it will make this very large class action litigation more enjoyable for all. Thanks, Adam

Adam M. Moskowitz

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From: Adam Moskowitz <Adam@moskowitz-law.com>

Sent: Friday, September 9, 2022 7:05 PM

To: Alexandra L. Tifford <ATifford@fowler-white.com>; Joseph Kaye <joseph@moskowitz-law.com>; Glorissa Olivares <GOlivares@fowler-white.com>

Cc: SBest@brownrudnick.com; Wolkinson, Rachel O. <RWolkinson@brownrudnick.com>; SWissner-Gross@brownrudnick.com; Barbara C. Lewis <barbara@moskowitz-law.com>; CHRISTOPHER E. KNIGHT <CKnight@fowler-white.com>; Stephen N. Zack <szack@bsfllp.com>; Ursula Ungaro <UUngaro@bsfllp.com>; Rejane Passos <rejane@moskowitz-law.com>; Dione Iturria <Dione@moskowitz-law.com>

law.com>; Angela Herazo <aherazo@fowler-white.com>; Jason Rosell <jrosell@pszjlaw.com>

Subject: RE: Robertson, Gold, et. al. v. Mark Cuban, Dallas Basketball Limited, d/b/a Dallas Mavericks, et. al. | S Dist. Court. S.D. FL. Civil Case No. 1:22-cv-22538

Chris: It is really great to hear from you and please give all my regards to Brian. Let me know a good time early next week, so we can talk and coordinate all of our efforts in this matter. We have a lot going on in these cases, so we think it is always helpful to simply update the Court, at least to let them know what is going on in the various courts. We now have excellent bankruptcy co-counsel (Pachulski Stang Ziehl & Jones LLP) whom your team has already been coordinating with and I hope will continue such great cooperation. We need to be coordinated in both forums. I am sure you know the background of our different Voyager cases, but just to be sure, our original Voyager class action case is pending before Chief Judge Altonaga, but was stayed as a result of the Voyager's bankruptcy filing. The actions of Voyager's counsel in that case may be revisited, because I am not sure I would have represented to the Court (on numerous occasions) that there was "no risk" of any delay, when at the same time, they might have been secretly preparing and filed, an extensive bankruptcy petition.

The Court in our second class action case briefly administratively stayed our proceedings, after you filed your motion (but before we responded) and until the next bankruptcy hearing, so we think it might be beneficial to the Court (who can certainly decide), if we all give a brief update at the end of the month, as to what is happening in the different forums. I think we can all agree that our direct claims against Mr. Cuban, might be treated differently than the claims against Mr. Erlich and those against Voyager directly, but those are matters for a later day. Moreover, we now have great co-counsel in our district court actions, in Mr. Steve Zack and Judge Ungaro, and their law firm, Boies, Schiller, Flexner, so it is always great to initially meet via Zoom in our class cases, so we can put a face to the name.

Our clients may not agree on all of the issues, but I do know that with you and Brian, we will always have a professional and cooperative channel.

Thanks and have a great weekend, Adam

Adam M. Moskowitz

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From: Alexandra L. Tifford <ATifford@fowler-white.com>

Sent: Friday, September 9, 2022 4:50 PM

To: Joseph Kaye <joseph@moskowitz-law.com>; Glorissa Olivares <GOlivares@fowler-white.com>; Adam Moskowitz <Adam@moskowitz-law.com>

Cc: SBest@brownrudnick.com; Wolkinson, Rachel O. <RWolkinson@brownrudnick.com>; SWissner-Gross@brownrudnick.com; Barbara C. Lewis <barbara@moskowitz-law.com>; CHRISTOPHER E. KNIGHT <CKnight@fowler-white.com>; Stephen N. Zack <szack@bsflp.com>; Ursula Ungaro <UUngaro@bsflp.com>; Rejane Passos <rejane@moskowitz-law.com>; Dione Iturria <Dione@moskowitz-law.com>; Angela Herazo <aherazo@fowler-white.com>

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Dear Mr. Kaye,

See letter attached hereto from Mr. Knight.

Regards,

Ali

**Alexandra L.
Tifford**
Shareholder



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From: Joseph Kaye <joseph@moskowitz-law.com>

Sent: Friday, September 9, 2022 4:13 PM

To: Glorissa Olivares <GOlivares@fowler-white.com>; Adam Moskowitz <Adam@moskowitz-law.com>

Cc: SBest@brownrudnick.com; Wolkinson, Rachel O. <RWolkinson@brownrudnick.com>; SWissner-Gross@brownrudnick.com; Alexandra L. Tifford <ATifford@fowler-white.com>; Barbara C. Lewis <barbara@moskowitz-law.com>; CHRISTOPHER E. KNIGHT <CKnight@fowler-white.com>; Stephen N. Zack <szack@bsfllp.com>; Ursula Ungaro <UUngaro@bsfllp.com>; Rejane Passos <rejane@moskowitz-law.com>; Dione Iturria <Dione@moskowitz-law.com>

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Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

Good afternoon all,

Please see attached for some materials we are filing later today.

Please confirm for us by EOB no objection, thank you.

Best,

Joseph M. Kaye

Partner

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From: Glorissa Olivares <GOlivares@fowler-white.com>

Sent: Thursday, August 25, 2022 5:04:49 PM

To: Adam Moskowitz <Adam@moskowitz-law.com>

Cc: SBest@brownrudnick.com <SBest@brownrudnick.com>; Wolkinson, Rachel O. <RWolkinson@brownrudnick.com>; SWissner-Gross@brownrudnick.com <SWissner-Gross@brownrudnick.com>; Alexandra L. Tifford <ATifford@fowler-white.com>; Joseph Kaye <joseph@moskowitz-law.com>; Barbara C. Lewis <barbara@moskowitz-law.com>

Subject: Robertson, Gold, et. al. v. Mark Cuban, Dallas Basketball Limited, d/b/a Dallas Mavericks, et. al. | S Dist. Court. S.D. FL. Civil Case No. 1:22-cv-22538

Dear Mr. Moskowitz:

Attached please find correspondence from Mr. Knight.

Thank you,

**Glorissa
Olivares**

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Christopher E.
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